



3-5-07 IFW 1633 \$

Express Mail No. EB 132 598 662 US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Hariri, Robert J. Confirmation No.: 1042
Serial No.: 10/074,976 Art Unit: 1633
Filed: February 13, 2002 Examiner: Li, Qian Janice
For: TISSUE MATRICES COMPRISING
PLACENTAL STEM CELLS, AND
METHODS OF MAKING THE SAME Attorney Docket No.: 9516-101-999

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In accordance with the duty of disclosure provisions of 37 C.F.R. §1.56, there is hereby provided certain information which the Examiner may consider material to the examination of the subject U.S. patent application. It is requested that the Examiner make this information of record if it is deemed material to the examination of the application.

1. Enclosures accompanying this Information Disclosure Statement are:

1a. ☒ A list of all patents, publications, applications, or other information submitted for consideration by the office.

1b. A legible copy of:

☐ Each publication or that portion which caused it to be listed on the PTO-1449;

☐ For each cited pending unpublished U.S. application, the application specification including the claims, and any drawing of the application, or portion of the application which caused it to be listed on the PTO-1449 including any claims directed to that portion that have been checked to be unavailable at the USPTO's private PAIR system;

☐ An English language copy of search report(s) from a counterpart foreign application or PCT International Search Report;

☐ Explanations of relevancy (ATTACHMENT 1(d), hereto) or English language abstracts of the non-English language publications;

☐ All other information or portion which caused it to be listed on the PTO-1449.

1c. ☒ Pursuant to 37 C.F.R. § 1.98(a)(2)(ii), copies of the cited U.S. patents and U.S. patent application publications are not submitted herewith unless required by the office.

01 FC:1806

180.00 DA

1d. ☐ Pursuant to 1287 OG 163, copies of cited pending unpublished applications that are available at the USPTO's private PAIR system are not submitted herewith.

2. ☐ This Information Disclosure Statement is filed under 37 C.F.R. §1.97(b):

- ☐ Within three months of the filing date of a national application other than a continued prosecution application under §1.53(d);
- ☐ Within three months of the date of entry of the national stage as set forth in §1.491 in an international application;
- ☐ Before the mailing of the first Office action on the merits;
- ☐ Before the mailing of a first Office action after the filing of a request for continued examination under §1.114.
3. ☒ This Information Disclosure Statement is filed under 37 C.F.R. §1.97(c) after the period specified in 37 C.F.R. §1.97(b), but before the mailing date of any of a final action under 37 C.F.R. §1.113, a notice of allowance under 37 C.F.R. §1.311 or an action that otherwise closes prosecution in the application.

(Check either Item 3a or 3b)

- 3a. ☐ The Certification Statement in Item 5 below is applicable. Accordingly, no fee is required.
- 3b. ☒ The \$180.00 fee set forth in 37 C.F.R. §1.17(p) in accordance with 37 C.F.R. §1.97(c) is:
- ☐ enclosed.
- ☒ to be charged to Jones Day Deposit Account No. 50-3013.

(Item 3b to be checked if any reference known for more than 3 months)

4. ☐ This Information Disclosure Statement is filed under 37 C.F.R. §1.97(d) after the period specified in 37 C.F.R. §1.97(c), but on or before the date of payment of the issue fee.

The Certification Statement in Item 5 below is applicable.

The \$180.00 fee set forth in 37 C.F.R. §1.17(p) is:

- ☐ enclosed.
- ☐ to be charged to Jones Day Deposit Account No. 50-3013.
5. ☐ Certification Statement (applicable if Item 3a or Item 4 is checked):

(Check either Item 5a or 5b)

- 5a. ☐ In accordance with 37 C.F.R. §1.97(e)(1), it is certified that each item of information contained in this Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement.
- 5b. ☐ Each item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart application, and the communication was not **received** by any individual designated in 37 C.F.R. §1.56(c) more than thirty days prior to the filing of this information disclosure statement.
- 5c. ☐ Pursuant to 37 C.F.R. §1.704(d), each item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart application, and the communication was not **received** by any individual designated in 37 C.F.R. §1.56(c) more than thirty days prior to the filing of this information disclosure statement.

6. ☐ This application is a continuation application under 37 C.F.R. §1.53(b) or (d).

(Check appropriate Items 6a, 6b and/or 6c)

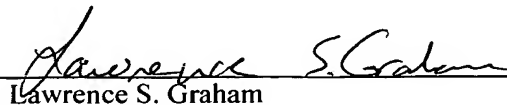
- 6a. ☐ A Petition to Withdraw from issue under 37 C.F.R. §1.313(b)(5) is concurrently filed herewith.
- 6b. ☐ Copies of publications listed on Form PTO-1449 from prior application Serial No. _____, filed on _____, of which this application claims priority under 35 U.S.C. §120, are not being submitted pursuant to 37 C.F.R. §1.98(d).
- 6c. ☐ Copies of the publications listed on Form PTO-1449 were not previously cited in prior application Serial No. _____, filed on _____, and are provided herewith.
7. ☒ This is a Supplemental Information Disclosure Statement.
- 7a. ☐ This Supplemental Information Disclosure Statement under 37 C.F.R. §1.97(f) supplements the Information Disclosure Statement filed on _____. A bona fide attempt was made to comply with 37 C.F.R. §1.98, but inadvertent omissions were made. These omissions have been corrected herein. Accordingly, additional time is requested so that this Supplemental Information Disclosure Statement can be considered as if properly filed on _____.
8. ☐ In accordance with 37 C.F.R. §1.98, a concise explanation of what is presently understood to be the relevance of each non-English language publication is:

(Check Item 8a, 8b, or 8c)

- 8a. ☐ Satisfied because all non-English language publications were cited on the enclosed English language copy of the PCT International Search Report or the search report from a counterpart foreign application indicating the degree of relevance found by the foreign office.
- 8b. ☐ Set forth in the application.
- 8c. ☐ Enclosed as an attachment hereto.
9. ☒ The Commissioner is authorized to charge any additional fee required or credit any overpayment for this Information Disclosure Statement and/or Petition to Jones Day Deposit Account No. 50-3013.
10. ☒ No admission is made that the information cited in this Statement is, or is considered to be, material to patentability and no representation is made that a search has been made (other than a search report of a foreign counterpart application or PCT International Search Report if submitted herewith). 37 C.F.R. §§1.97(g) and (h).

Respectfully submitted,

Date: March 2, 2007


Lawrence S. Graham

Anthony M. Insogna

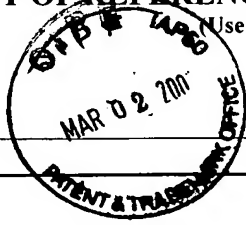
Reg. No. 49,020

Reg. No. 35,203

JONES DAY
222 East 41st Street
New York, New York 10017
(212) 326-3939

LIST OF REFERENCES CITED BY APPLICANT

(Use several sheets if necessary)

**ATTY. DOCKET NO.**

9516-101-999

APPLICATION NO.

10/074,976

APPLICANT

Hariri, Robert J

CONFIRMATION NO.

1042

FILING DATE

2-13-02

ART UNIT

1633

U.S. PATENT DOCUMENTS

*Examiner Initials		Document Number	Date mm/dd/yy	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
	A01	5,197,985	3/30/93	Caplan, et al.	
	A02	5,226,914	7/13/93	Caplan, et al.	
	A03	5,437,994	8/01/95	Emerson, et al.	
	A04	5,486,359	1/23/96	Caplan, et al.	
	A05	5,591,625	1/07/97	Gerson, et al.	
	A06	5,635,386	6/03/97	Palsson, et al.	
	A07	5,646,043	7/8/97	Emerson, et al.	
	A08	5,733,542	3/31/98	Haynesworth, et al.	
	A09	5,736,396	4/07/98	Bruder, et al.	
	A10	5,811,094	9/22/98	Caplan, et al.	
	A11	5,827,740	10/27/98	Pittenger	
	A12	5,855,619	1/05/99	Caplan, et al.	
	A13	5,908,784	6/01/99	Johnstone, et al.	
	A14	5,919,702	7/06/99	Purchio, et al.	
	A15	5,942,225	8/24/99	Bruder, et al.	
	A16	6,010,696	1/04/00	Caplan, et al.	
	A17	6,022,540	2/08/00	Bruder, et al.	
	A18	6,030,836	2/29/00	Thiede, et al.	
	A19	6,174,333	1/16/01	Kadiyala, et al.	
	A20	6,225,119	5/01/01	Qasba, et al.	
	A21	6,239,157	5/29/01	Mbalaviele, et al.	
	A22	6,255,112	7/03/01	Thiede, et al.	

LAI-2843349v1

EXAMINER**DATE CONSIDERED**

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

LIST OF REFERENCES CITED BY APPLICANT (Use several sheets if necessary)	ATTY. DOCKET NO. 9516-101-999	APPLICATION NO. 10/074,976
	APPLICANT Hariri, Robert J	CONFIRMATION NO. 1042
	FILING DATE 2-13-02	ART UNIT 1633

U.S. PATENT DOCUMENTS					
*Examiner Initials		Document Number	Date mm/dd/yy	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
	A23	6,261,549	7/17/01	Fernandez, et al.	
	A24	6,281,012	8/28/01	McIntosh, et al.	
	A25	6,322,784	11/27/01	Pittenger, et al.	
	A26	6,328,960	12/11/01	McIntosh, et al.	
	A27	6,355,239	3/12/02	Bruder, et al.	
	A28	6,368,636	4/09/02	McIntosh, et al.	
	A29	6,387,367	5/14/02	Davis-Sproul, et al.	
	A30	6,387,369	5/14/02	Pittenger, et al.	
	A31	6,497,875	12/24/02	Sorrell, et al.	
	A32	6,541,024	4/01/03	Kadiyala, et al.	
	A33	6,685,936	2/03/04	McIntosh, et al.	
	A34	6,709,864	3/23/04	Pittenger, et al.	
	A35	6,797,269	9/28/04	Mosca, et al.	
	A36	6,835,377	12/28/04	Goldberg, et al.	
	A37	6,863,900	3/08/05	Kadiyala, et al.	
	A38	6,875,430	4/05/05	McIntosh, et al.	
	A39	7,029,666	4/18/06	Bruder, et al.	
	A40	2001/0005591	2/09/01	Qasba, et al.	
	A41	2003/0044977	7/30/02	Sakuragawa and Uchida	
	A42	2003/0235563	4/21/03	Strom, et al.	
	A43	2004/0018617	11/04/02	Hwang	
	A44	2004/0107453	2/14/02	Furcht, et al.	

LAI-2843349v1

EXAMINER	DATE CONSIDERED
*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.	

LIST OF REFERENCES CITED BY APPLICANT
(Use several sheets if necessary)**ATTY. DOCKET NO.**

9516-101-999

APPLICATION NO.

10/074,976

APPLICANT

Hariri, Robert J

CONFIRMATION NO.

1042

FILING DATE

2-13-02

ART UNIT

1633

U.S. PATENT DOCUMENTS

*Examiner Initials		Document Number	Date mm/dd/yy	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
	A45	2004/0136967	8/25/03	Weiss, et al.	
	A46	2004/0161419	10/22/03	Strom, et al.	
	A47	2004/0180040	3/14/03	Phillips, et al.	
	A48	2004/0229351	7/31/03	Rodriguez, et al.	
	A49	2005/0019865	6/25/04	Kihm, et al.	
	A50	2005/0032209	6/25/04	Messina, et al.	
	A51	2005/0037491	6/25/04	Mistry, et al.	
	A52	2005/0042595	8/13/04	Haas	
	A53	2005/0054093	8/13/04	Haas	
	A54	2005/0054098	6/25/04	Mistry, et al.	
	A55	2005/0058629	6/25/04	Harmon, et al.	
	A56	2005/0058630	6/25/04	Harris, et al.	
	A57	2005/0058631	6/25/04	Khim, et al.	
	A58	2005/0085543	12/07/04	Wallimann, et al.	
	A59	2005/0089513	8/17/04	Sakuragawa and Yokoyama	
	A60	2005/0112104	10/21/03	Pittenger, et al.	
	A61	2005/0124003	11/15/02	Atala, et al.	
	A62	2005/0148074	10/08/04	Davies, et al.	
	A63	2005/0176139	1/11/05	Chen, et al.	
	A64	2005/0181502	3/21/05	Furcht and Verfaillie	
	A65	2005/0186182	10/10/04	Deisher, et al.	
	A66	2005/0233452	2/10/05	Ho, et al.	

LAI-2843349v1

EXAMINER**DATE CONSIDERED**

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

LIST OF REFERENCES CITED BY APPLICANT
(Use several sheets if necessary)**ATTY. DOCKET NO.**

9516-101-999

APPLICATION NO.

10/074,976

APPLICANT

Hariri, Robert J

CONFIRMATION NO.

1042

FILING DATE

2-13-02

ART UNIT

1633

U.S. PATENT DOCUMENTS

*Examiner Initials		Document Number	Date mm/dd/yy	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
	A67	2005/0239897	3/15/05	Pittenger, et al.	
	A68	2005/0283844	3/21/05	Furcht, et al.	
	A69	2006/0008450	6/13/05	Verfaille, et al.	
	A70	2006/0078993	8/15/05	Phan, et al.	
	A71	2006/0153816	12/22/05	Brown, et al.	
	A72	2006/0153817	12/29/05	Kihm, et al.	
	A73	2006/0153818	12/29/05	Dhanaraj, et al.	
	A74	2006/0154366	12/22/05	Brown, et al.	
	A75	2006/0154367	12/29/05	Kihm, et al.	
	A76	2006/0166361	12/08/05	Seyda, et al.	
	A77	2006/0171930	12/08/05	Seyda, et al.	
	A78	2006/0188983	12/30/05	Harris, et al.	
	A79	2006/0222634	10/05/06	Clarke, et al.	
	A80	2006/0233765	12/22/05	Messina, et al.	
	A81	2006/0233766	12/22/05	Messina, et al.	
	A82	2006/0234376	12/13/05	Mistry, et al.	
	A83	2006/0263337	11/09/05	Maziarz, et al.	
	A84	2006/0281178	8/25/06	Sakuragaw and Uchida	

LAI-2843349v1

EXAMINER**DATE CONSIDERED**

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

LIST OF REFERENCES CITED BY APPLICANT
(Use several sheets if necessary)**ATTY. DOCKET NO.**

9516-101-999

APPLICATION NO.

10/074,976

APPLICANT

Hariri, Robert J

CONFIRMATION NO.

1042

FILING DATE

2-13-02

ART UNIT

1633

FOREIGN PATENT DOCUMENTS

*Examiner Initials		Foreign Patent Document Country Code, Number, Kind Code (if known)	Date mm/dd/yy	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T
	B01	CN1548529	5/09/03	Zhang, et al.	Abstract; publication in Chinese	
	B02	JP2003235549	12/10/02	Matsuda, et al.	Abstract; in Japanese	
	B03	JP2005151907	11/27/03	Ishiwatari and Saito	Abstract; publication in Japanese	
	B04	WO2005042703	5/12/05	Strom, et al.		
	B05	WO2005105992	11/10/05	Hu, et al.		
	B06	WO2006/015214	2/09/06	Steenblock		

NON PATENT LITERATURE DOCUMENTS

*Examiner Initials		Include name of the author (in CAPITAL LETTERS), (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T
	C01		

LAI-2843349v1

EXAMINER**DATE CONSIDERED**

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.